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Attorneys for Non-Party Apple Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Sinco Technologies PTE Ltd.,

Plaintiff,

v.

Sinco Electronics (Dongguan) Co. Ltd. et al,

Defendants.

Case No. 17-cv-5517-EMC

**DECLARATION OF JESSE KOEHLER IN
SUPPORT OF SEALING CERTAIN APPLE
CONFIDENTIAL INFORMATION AT TRIAL
PURSUANT TO CIVIL L.R. 79-5**

DECLARATION OF APPLE INC. EMPLOYEE, JESSE KOEHLER

I, Jesse Koehler, declare as follows:

1. I am a Legal Counsel in IP Litigation at third-party Apple Inc. (“Apple”). I make this declaration on behalf of Apple based upon my personal knowledge and belief as well as knowledge and belief gathered from additional Apple employees. If called as a witness, I could and would testify competently to the information set forth in this Declaration.

2. I make this declaration pursuant to Civil Local Rule 79-5(e)(i) to establish that the unredacted versions of documents and deposition testimony referencing Apple project code names (the “Apple Confidential Information”) constitute and/or contain non-party Apple’s confidential information and are subject to sealing by this Court.

3. In particular, Apple seeks to seal any and all references to Apple project code names in deposition transcripts and documents produced and designated as trial exhibits in the litigation.

4. The information that Apple seeks to maintain under seal is set forth in (i) documents produced by the parties that were provided to each party by Apple pursuant to a Mutual Confidentiality Agreement, and (ii) the deposition transcript of Paul Carter. Those documents and the deposition transcript were designated as “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Protective Order entered in this case.

5. Specifically, the Apple Confidential Information includes project code names that are confidential and proprietary to Apple. In my experience, project code names are kept confidential, even within Apple and are only provided to Apple team members who need to know this information.

6. In my experience, project code names are only shared with individuals outside of Apple who have entered into a Mutual Confidentiality Agreement with Apple whereby those individuals agree to keep the Apple Confidential Information restricted and confidential.

7. Non-party Apple expends significant time and resources to maintain the confidentiality of such project code names and seeks to maintain the confidentiality and non-public nature of this type of information. Based on my investigation, Apple does not publicly disclose or publish this confidential information and data, and these project code names remain confidential even after the product or feature is eventually made public.

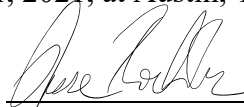
1 8. Good cause exists to seal the documents and deposition testimony containing the Apple
2 Confidential Information on behalf of non-party Apple. Public filing of the documents and/or
3 deposition testimony would result in harm to Apple, a non-party to this litigation. Specifically, such
4 public filing would provide Apple's competitors with information about its past, current, and future
5 products, which they could use to gain an unfair business advantage against Apple in product
6 development.

7 9. Apple's request to seal is narrowly tailored to those portions of the documents and
8 deposition testimony that merit sealing.

9 10. In view of the foregoing, Apple respectfully requests that the Court seal the exhibits and
10 deposition testimony that contain Apple Confidential Information, including the Apple project code
11 names.
12

13 I declare under penalty of perjury under the laws of the United States of America and the State
14 of California that the foregoing is true and correct.
15

16 Executed this 28th of October, 2021, at Austin, Texas.

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19 Jesse Koehler
20 Apple Inc.
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CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

Dated: October 28, 2021

/Hannah L. Cannom/
Hannah L. Cannom